

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

GIBSON GUITAR CORPORATION,

Plaintiff,

v.

HARMONIX MUSIC SYSTEMS,
INC., VIACOM INTERNATIONAL,
INC., and ELECTRONIC ARTS INC.,

Defendants.

Civil Action No. 3:08-0294

United States District Judge
Thomas A. Wiseman, Jr.

United States Magistrate Judge
Juliet E. Griffin

Jury Demand

**DECLARATION OF B. JENNIFER GLAD IN SUPPORT OF REPLY IN
SUPPORT OF DEFENDANTS' MOTION FOR A STAY PENDING U.S. P.T.O.'S
REEXAMINATION OF THE PATENT IN SUIT**

I, B. JENNIFER GLAD, declare and state as follows:

1. I am an attorney licensed to practice law in the State of California, a member of the law firm of O'Melveny & Myers LLP, and counsel in the above-captioned matter for defendants Harmonix Music Systems, Inc., Viacom International, Inc. (erroneously named in the Complaint as "MTV Networks"), and Electronic Arts Inc. (collectively, "Defendants"). I make this Declaration in support of Defendants' Reply In Support of Defendants' Motion for a Stay Pending U.S.P.T.O.'s Reexamination of the Patent in Suit. All of the facts set forth in this declaration are known to me personally, and if called as a witness I would testify competently thereto.

2. Attached hereto as **Exhibit A** is a true and correct copy of Gibson Guitar Corp.'s ("Gibson") Waiver of Patent Owner Statement, filed with the U.S. Patent & Trademark Office ("PTO") on June 4, 2008.

3. Attached hereto as **Exhibit B** is a true and correct copy of an email exchange between Mark Samuels, counsel for Defendants, and Matthew Siegal, counsel for Gibson, dated April 28, 2008.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 17th day of June 2008, at Los Angeles, California.


B. Jennifer Glad